

## SCL NODO Substation Easements Ordinance

<b>Date of this Brief</b>	February 23, 2012		
<b>Supersedes</b>	n/a		
<b>Key Contacts</b>	<b>Name(s)</b>	<b>Phone</b>	<b>Short Title</b>
	Lynn Best	6-4586	Director
	Dave Barber	4-0400	Real Estate Manager
<b>Council Action Required?</b>	<b>Y</b>	<b>If YES, within the next 3 months?</b>	<b>Y</b>
<b>Public Hearing Required?</b>	<b>N</b>		
<b>Presenters (if applicable)</b>	Lynn Best, Director of Environmental Affairs, SCL Dave Barber, Real Estate Manager, SCL		

### Summary Statement

This ordinance authorizes the Superintendent or his designee to enter into two temporary tieback easement agreements that contain indemnity provisions with Plymouth Housing Group and Yale Partners, LLC. These temporary tiebacks are necessary for cleanup of the City's property prior to construction of the new North Downtown Substation.

### Background

As authorized by Ordinance 122804, City Light purchased Lots 17, 18, and 19, Block 13, Pontius Fourth Addition to the City of Seattle, for the proposed North Downtown Substation. Prior to construction, City Light must undertake an environmental remediation project to remove contaminated soil from the substation site that exceeds State of Washington clean-up standards.

In order to complete the project, City Light must enter into temporary easement agreements with two abutting property owners, Plymouth Housing Group and Yale Partners, LLC, to install tiebacks for a shoring wall necessary for construction. These temporary agreements contain provisions that will indemnify the abutting owners against any damages that may result from the Project. City Council approval is required for indemnity obligations.

City Light will pay Plymouth Housing Group \$25,000 for its easement, and Yale Partners, LLC \$40,000, plus \$500 per month during construction, for its easement. The payment for these easements is included in prior appropriations for the clean-up project.

### Key Issues

- City Council approval is required when the City extends an indemnity to a third party that has not previously been authorized in the project budgeting process.

- These temporary easements are necessary for the completion of the environmental remediation project.

<b>Next Steps</b>
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- Pass legislation.
- Execute each document.